

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 18-21179-CMB
Emanuel R. Mori	:	Chapter 13
Debtor	:	Document No. ____
The Bank of New York Mellon,	:	
successor to The Bank of New York	:	Related to Document #91
not in its individual capacity but solely	:	
as Trustee on behalf of the holder of the	:	
CIT Mortgage Loan Trust, 2007-1	:	Hearing Date: 5/12/20 at 10:00
Asset-Backed Certificates, Series	:	
2007-1	:	
Movants	:	
vs	:	
Emanuel R. Mori	:	
Respondent	:	
and	:	
Ronda J. Winnecour, Trustee	:	
Additional Respondent(s)	:	

**RESPONSE TO MOTION FOR
RELIEF FROM AUTOMATIC STAY FILED BY
THE BANK OF NEW YORK MELLON, SUCCESSOR TO
THE BANK OF NEW YORK**

Emanuel R. Mori, the debtor in the above captioned case, by his counsels, Bryan P. Keenan & Associates, P.C. and Bryan P. Keenan Esq., and files the within Response to the Motion from the Automatic Stay filed the Bank of New York Mellon, Successor to the Bank of New York

1. Admitted.
2. Admitted.
3. Admitted.
4. It is admitted that Select Portfolio Servicing, Inc. services the loan. It is denied that the Movant has grounds to obtain relief from the automatic stay.
5. Admitted.
6. Denied. Strict proof is demanded.

7. Admitted. The debtor, who operates a restaurant, is experiencing a material financial hardship due to the coronavirus disease 2019 pandemic (COVID-19).

8. Admitted.

9. Denied. Movant is adequately protected by virtue of the equity in the subject matter property. On March 17, 2020 this Honorable Court entered an order authorizing the Debtor to hire a realtor and list the property located 4621 Carroll Street Pittsburgh, PA 15224, for sale. The listing price as set forth in the Motion was \$173,250.00. No objections to the Motion or listing price were filed by the Movant.

10. The Debtor intends to use 100% of the net proceeds to fund the existing plan in plan and shall explore all available options afforded to them under the Coronavirus Aid, Relief and Economic Security Act (CARES) Act

WHEREFORE, debtor respectfully request that this Court deny the Motion for Relief from the Automatic Stay.

Date: **April 17, 2020**

/s/ Bryan P. Keenan.

Bryan P. Keenan, Esquire

Attorney for the Debtor

PA I.D. No. 89053

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